

Exhibit 8

Omnibus Mao Declaration

**MATERIALS SOUGHT TO
BE FILED UNDER SEAL**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, JULIEANNA)
MUNIZ, ELIZA CAMBAY, SAL) Case No.:
CATALDO, EMIR GOENAGA, JULIAN) 3:20-cv-04688
SANTIAGO, HAROLD NYANJOM, KELLIE)
NYANJOM, and SUSAN LYNN HARVEY,)
individually and on behalf of all)
others similarly situated,)
)
Plaintiffs,)
vs.)
)
GOOGLE LLC,)
)
Defendant.)
-----)

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

REMOTE PROCEEDINGS OF THE
VIDEOTAPED DEPOSITION OF SAM HEFT-LUTHY
WEDNESDAY, FEBRUARY 8, 2023

REPORTED BY NANCY J. MARTIN
CSR. NO. 9504, RMR, RPR
PAGES 1-143

1 Q. Okay. Do you know if you've ever watched
2 testimony given by any other person named Sundar?

3 A. I don't recall.

4 Q. Okay. Do you remember whether any other
5 person named Sundar that you're aware of gave
6 testimony whether you watched it or not?

7 MR. SANTACANA: Vague.

8 THE WITNESS: I don't recall.

9 BY MR. SILA:

10 Q. Safe to say you're probably referring to
11 Mr. Pichai's testimony in December of 2018 here;
12 right?

13 MR. SANTACANA: Asked and answered.

14 THE WITNESS: I don't know what this is in
15 reference to necessarily.

16 BY MR. SILA:

17 Q. Okay. Do you see that you sent a link
18 c-span.org/video and there's some numbers. It says,
19 "google-ceo-sundar-pichai-testifies-data-privacy-bias-
20 concerns." Do you see that?

21 A. I do.

22 Q. Does that refresh your recollection about
23 what you're talking about in this chat transcript?

24 A. No.

25 Q. It could be anybody (inaudible).

1 (The Reporter requested clarification.)

2 BY MR. SILA:

3 Q. You could be referring to anybody's testimony
4 at all here. Is that your testimony here today under
5 oath?

6 A. My testimony is that I don't recall to the
7 level of specificity that I would be willing to
8 testify under oath that that was Sundar Pichai's
9 testimony.

10 Q. Okay. So you write down -- about halfway
11 through you say, "asked a question about android data
12 right at the top and Sundar's answer was not great."

13 Do you see that?

14 A. I do see that.

15 Q. Do you remember the answer that Sundar gave?

16 A. No.

17 Q. Do you remember why it was not great?

18 A. No.

19 Q. Okay. Now, Miguel Guevara, a couple lines
20 up, he says, "Watching now."

21 And then he says, "perception is reality +
22 1000." Do you have any idea what that means?

23 MR. SANTACANA: Calls for speculation.

24 THE WITNESS: I don't.

25 BY MR. SILA:

1 Q. Okay. And then he responds and says,
2 "Pinecone FTW!" "FTW" is for the win; right?

3 MR. SANTACANA: Calls for speculation.

4 THE WITNESS: I don't know with specificity
5 what FTW does or doesn't refer to.

6 BY MR. SILA:

7 Q. Do you know what Pinecone refers to?

8 MR. SANTACANA: Calls for speculation.

9 THE WITNESS: In parlance within the PDPO
10 team, Pinecone would often be used to refer to a user
11 research program, a series of user research efforts.

12 BY MR. SILA:

13 Q. Okay. Are those user research efforts --
14 scratch that. Okay.

15 Is the phrase "perception is reality"
16 associated with those user research efforts in any
17 way?

18 MR. SANTACANA: Calls for speculation.
19 Vague.

20 THE WITNESS: I don't recall.

21 MR. SILA: Okay. I'm going to introduce an
22 exhibit that's been previously marked as Plaintiffs'
23 Exhibit 339.

24 (Previously marked Exhibit 339 was made
25 available to the witness.)